

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

CRAIG TAPKE,

CASE NO. 1:09-cv-077

Petitioner,

Judge Timothy S. Black
Magistrate Judge Michael R. Merz

-vs-

TIM BRUNSMAN, Warden,
Lebanon Correctional Institution,

Respondent.

JUDGMENT IN A CIVIL CASE

[] **Jury Verdict:** This action came before the Court for a trial by jury. The issues have been tried and the Jury has rendered its verdict.

[X] Decision by Court: This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered,

IT IS ORDERED AND ADJUDGED that the Reports and Recommendations (Docs. 34, 39) of the United States Magistrate Judge are **ADOPTED**; the Petitioner's Objections (Docs. 37, 42) are **OVERRULED**; the Petition (Doc. 1) is **DISMISSED**; that **NO FINDING** is made at this time concerning issuance of a certificate of appealability or leave to appeal *in forma pauperis*; and the case is **TERMINATED** from the docket.

Date: March 29, 2013

JOHN P. HEHMAN, CLERK

By: s/ M. Rogers
Deputy Clerk